

# PATENT COOPERATION TREATY

Rec'd PCT/PTO 03 MAR 2005

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:  
HARRY F. SMITH  
HARRINGTON & SMITH LLP  
4 RESEARCH DRIVE  
SHELTON, CT 06484-6212

## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference 873.0158.U1(WO)		Date of mailing (day/month/year) <b>17 DEC 2004</b>
FOR FURTHER ACTION See paragraph 2 below		
International application No. PCT/US04/25398	International filing date (day/month/year) 06 August 2004 (06.08.2004)	Priority date (day/month/year) 05 September 2003 (05.09.2003)
International Patent Classification (IPC) or both national classification and IPC IPC(7): G06F 13/00 and US Cl.: 709/227, 219, 249		
Applicant NOKIA CORPORATION		

1. This opinion contains indications relating to the following items:

- |                                     |              |  |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the opinion   |
| <input type="checkbox"/>            | Box No. II   | Priority   |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability   |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited  |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application   |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application  |

US ACTION  
DUE DATE 7-5-05  
PAPER DATED 12-17-04  
OA FINAL  
MSG PT DWG  
APPEAL ISSUE FEE  
OTHER Written Opinion

RECEIVED

DEC 20 2004

HARRINGTON & SMITH, LLP

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Viet Vu Telephone No. 703-305-9600
--	---

Form PCT/ISA/237 (cover sheet) (January 2004)

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US04/25398

**Box No. I Basis of this opinion**

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ in written format

☐ in computer readable form

c. time of filing/furnishing

☐ contained in international application as filed.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/US04/25398

**Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims <u>1-26</u>	YES
	Claims <u>NONE</u>	NO
Inventive step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-26</u>	NO
Industrial applicability (IA)	Claims <u>1-26</u>	YES
	Claims <u>NONE</u>	NO

**2. Citations and explanations:**

Claims 1-26 lack an inventive step under PCT Article 33(3) as being obvious over Williams et al, U.S. patent Application Publication No. 2002/0133600.

Williams discloses a system and method for establishing communications between a mobile station and IP network comprising:

- a) a mobile station (10, fig. 4) comprising a memory and an application for storing data of transport quality parameters (QoS), and a transmitter for sending a request of data service with at least one quality parameter (see page 3, par. 35),
- b) a first node (15, fig. 4) for receiving the request and determining whether a new flow/session request that satisfies the required quality parameter can be supported between the mobile station and the first node and for sending a reply to the mobile station (see page 5, par. 48-49),
- c) a second node (16, fig. 4) for receiving a second request sent from the first node and for authorizing the service request (see page 5, par. 52).

Williams does not explicitly teach that mobile station request includes a service identifier and a flow identifier. It is noted that such identifiers are commonly used in the art to identify particular service and/or data flow. It would have been obvious to one of ordinary skill in the art at the time the invention was made to recognize the use of such service flow/session identifiers in mobile request in Williams because it would have enabled proper communications between the mobile station and the access network node (see page 3, par. 35).